

ACTIONS
Board of Supervisors Meeting of December 11, 2024

December 13, 2024

AGENDA ITEM/ACTION	ASSIGNMENT	VIDEO
<p>1. Call to Order.</p> <ul style="list-style-type: none"> The meeting was called to order at 1:00 p.m., by the Chair, Mr. Andrews. All BOS members were present. Also, present were Jeff Richardson, Andy Herrick, Claudette Borgersen, and Travis Morris. 		Link to Video
<p>4. Adoption of Final Agenda.</p> <ul style="list-style-type: none"> By a vote of 6:0, ADOPTED the final agenda. 		
<p>5. Brief Announcements by Board Members.</p> <p><u>Mike Pruitt:</u></p> <ul style="list-style-type: none"> Reminded community members to practice smart public health measures and to ensure that they were feeling well before traveling and visiting elderly family members. <p><u>Ned Gallaway:</u></p> <ul style="list-style-type: none"> Asked that community members exercise patience while driving to ensure everyone's safety. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> Announced that on the following Saturday, there would be a ribbon cutting for Biscuit Run Park at 10:00 a.m., and then at noon, Wreaths Across America would hold a ceremony to lay a wreath at the Vietnam War Memorial. 		
<p>Proclamations and Recognitions.</p> <ul style="list-style-type: none"> There were none. 		
<p>7. From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or that are Pending Before the Board.</p> <ul style="list-style-type: none"> <u>Vikki Bravo</u>, representative of IMPACT (Interfaith Movement Promoting Action by Congregations Together), spoke towards the affordable housing fund. <u>Leonora Crane</u>, White Hall Magisterial District, spoke toward AC44 and housing. 		
<p>8.1 Purchasing Manual Update.</p> <ul style="list-style-type: none"> ADOPTED Resolution to update the Albemarle County Purchasing Manual with an effective date of April 1, 2025, to coincide with the implementation of the new financial management system. 	<p><u>Clerk:</u> Forward copy of signed resolution to Finance and Budget and County Attorney's office. (Attachments 1)</p>	
<p>8.2 Schedule a Public Hearing on a Proposed Lease of a Portion of Yancey Community Center Property.</p> <ul style="list-style-type: none"> SCHEDULED future public hearing to consider a proposed lease of a portion of land adjacent to the Yancey Community Center water treatment facility to Central Virginia Services, Inc., an affiliate of Firefly Fiber Broadband. 	<p><u>Clerk:</u> Schedule on future agenda, advertise in Daily Progress, and notify appropriate individuals.</p>	
<p>8.3 Schedule a Public Hearing for Spot Blight Ordinance for 5624 Brownsville Road, Parcel ID 05600-00-00-026E1.</p> <ul style="list-style-type: none"> SCHEDULED future public hearing on a spot blight abatement ordinance for 5624 Brownsville Road, Parcel ID 05600-00-00-026E1. 	<p><u>Clerk:</u> Schedule on future agenda, advertise in Daily Progress, and notify appropriate individuals.</p>	
<p>8.4 SE202400025 North Pointe Wendy's.</p> <ul style="list-style-type: none"> ADOPTED Resolution to approve the variation and modification. 	<p><u>Clerk:</u> Forward copy of signed resolution to the Community Development Department and</p>	

		County Attorney's office. (Attachment 2)
8.5	SE202400028 Old Dominion Village - Arrangement of Buildings. <ul style="list-style-type: none"> • ADOPTED Resolution to approve the variation to allow the change in arrangement of buildings in the approved application plan to shift two units from the NDR area to the UDR area. 	<u>Clerk:</u> Forward copy of signed resolution to the Community Development Department and County Attorney's office. (Attachment 3)
8.6	SE202400029 Old Dominion Village – Setbacks. <ul style="list-style-type: none"> • ADOPTED Resolution to approve a variation to reduce the front minimum setback on side roads from 15' to 5' for the following corner lots: Lot 1, 6, 12, 27, 81, 95, and 110. 	<u>Clerk:</u> Forward copy of signed resolution to the Community Development Department and County Attorney's office. (Attachment 4)
9.	Action Item: Fiscal Year 2023 Annual Comprehensive Financial Report and Audit Results. <ul style="list-style-type: none"> • By a vote of 6:0, AUTHORIZED the Chair and the County Executive to execute a notarized statement that the County's audited financial report has been presented to the Board. 	<u>Clerk:</u> Notarize letter and forward to Finance and Budget. (Attachment 5) <u>Finance and Budget:</u> Mail letter to Commonwealth of Virginia Auditor of Public Accounts.
10.	Action Item: Membership in the Charlottesville-Albemarle Regional Transit Authority. <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED Resolution (Attachment A) to approve Albemarle County membership in the Charlottesville-Albemarle Regional Transit Authority. 	<u>Clerk:</u> Forward copy of signed resolution to the County Attorney's office. (Attachment 6)
11.	Work Session: Board-Economic Development Authority Memorandum of Understanding Term Sheet. <ul style="list-style-type: none"> • HELD. 	
12.	From the County Executive: Report on Matters Not Listed on the Agenda. a. Year in Review. <u>Jeff Richardson:</u> <ul style="list-style-type: none"> • Presented a Year in Review video showcasing the work of Albemarle County staff over the past year. 	
13.	From the Board: Committee Reports and Matters Not Listed on the Agenda. <u>Mike Pruitt:</u> <ul style="list-style-type: none"> • Reported that at the recent Thomas Jefferson Planning District Commission (TJPDC) meeting there was discussion regarding career technical education in the community which encouraged him to better understand the work being done at PVCC. • Reported that at the Broadband Authority meeting the previous day, the Broadband Equity, Access, and Deployment (BEAD) Program was discussed and the Broadband Authority plans to vet individual letters from service providers who believe they can serve the remaining households that would not be fully covered by the Virginia Telecommunications Initiative (VATI) deployment for broadband. <u>Ned Gallaway:</u> <ul style="list-style-type: none"> • Announced that the Central Virginia Regional Housing Partnership would hold a virtual meeting the following Wednesday at 2:00 p.m., at which the policy director and legislative affairs liaison from Virginia Housing would be providing a presentation on some 	

<p>predictions from the General Assembly related to housing issues and other presentations from members of their committee.</p> <p><u>Bea LaPisto-Kirtley:</u></p> <ul style="list-style-type: none"> • Announced that the Grand opening for Biscuit Run Park would be held the following Saturday at 10:00 a.m. and would open to the public beginning at 12:00 p.m. • Express her appreciation for the hard work and dedication of Albemarle County staff throughout the year. <p><u>Ann Mallek:</u></p> <ul style="list-style-type: none"> • Provided a brief update from the Workforce Center from the previous day noting that the local agency had received an A+ performance review from the state. • Reported that there had been a recent mailing about HB 206, which focused on protecting soils and food-producing land from solar projects, noting that communities were left to deal with severe damage in the aftermath. She asked Board members to consider ways they could collaborate with staff to establish some protections and processes. <p><u>Jim Andrews:</u></p> <ul style="list-style-type: none"> • Reported that the Albemarle County Broadband Authority meeting covered VATI 2021 and the impact of the Board's funding for the Albemarle County Bridge Program which successfully kept 700 households connected. He noted that it was Mike Culp's last meeting, and the committee stated he was greatly impactful in bringing forward broadband for Albemarle. 		
<p>14. Closed Meeting.</p> <ul style="list-style-type: none"> • At 3:40 p.m., the Board went into Closed meeting pursuant to section 2.2-3711(A) of the Code of Virginia: • under subsection (1), to discuss and consider the annual performance of the Clerk of the Board of Supervisors. 		
<p>Note: Ned Gallaway left the meeting at 3:41 p.m.</p>		
<p>16. Adjourn to January 8, 2025, 1:00 p.m. Lane Auditorium.</p> <ul style="list-style-type: none"> • The meeting was adjourned at 4:08 p.m. 		

ckb/tom

- Attachment 1 – Resolution to Amend and Re-Adopt the Albemarle County Purchasing Manual
- Attachment 2 – Resolution to Approve SE 202400025 North Pointe Wendy's
- Attachment 3 – Resolution to Approve SE 202400028 Old Dominion Village – Arrangement of Buildings
- Attachment 4 – Resolution to Approve SE 202400029 Old Dominion Village – Setbacks
- Attachment 5 - Fiscal Year 2023 Annual Comprehensive Financial Report and Audit Results Notarized Statement
- Attachment 6 – Resolution to Approve the County of Albemarle's Initial Membership in the Charlottesville-Albemarle Regional Transit Authority

**RESOLUTION TO AMEND AND RE-ADOPT
THE ALBEMARLE COUNTY PURCHASING MANUAL**

WHEREAS, the County of Albemarle Purchasing Manual (“Manual”) delineates the requirements of the Virginia Public Procurement Act and the methods and procedures that best enable the County to procure the highest quality goods and services at a reasonable cost and in an efficient, fair, and competitive manner; and

WHEREAS, the Manual was last amended on September 7, 2022; and

WHEREAS, the Board finds it is in the best interests of the County to amend the Manual to ensure that the County is able to procure goods and services in a way that is fair, impartial, administratively efficient, in alignment with state law, and accessible to all qualified vendors.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby amends and re-adopts the Albemarle County Purchasing Manual as reflected in Attachment B, effective April 1, 2025.

**RESOLUTION TO APPROVE SE202400025
NORTH POINTE WENDY'S**

WHEREAS, upon consideration of the staff reports prepared for SE202400025 North Pointe Wendy's and the attachments thereto, including staff's supporting analysis, any comments received, and all relevant factors in Albemarle County Code §§ 18-8.5.5.3(a)(1) and 18-33.9(A), the Albemarle County Board of Supervisors hereby finds that the proposed parking setback variation:

- (i) is consistent with the goals and objectives of the comprehensive plan;
- (ii) does not increase the approved development density or intensity of development;
- (iii) does not adversely affect the timing and phasing of development of any other development in the zoning district;
- (iv) does not require a special use permit; and
- (v) in general accord with the purpose and intent of the approved application; and

WHEREAS, also upon consideration of the staff reports prepared for SE202400025 North Pointe Wendy's and the attachments thereto, including staff's supporting analysis, any comments received, and all relevant factors in Albemarle County Code §§ 18-5.1(a) and 18-33.9(A), the Albemarle County Board of Supervisors hereby also finds that a modified drive-through lane regulation would satisfy the purposes of the Zoning Ordinance to at least an equivalent degree as the specified requirement.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves special exception SE2024-00025 both:

- a) to vary the minimum required setback for parking on Parcel ID 03200-00-00-02000 from 20 feet to seven feet, and
- b) to modify the minimum required setback from the Rural Areas zoning district for a drive-through lane on Parcel ID 03200-00-00-02000 from 50 feet to 46 feet.

**RESOLUTION TO APPROVE SE202400028
OLD DOMINION VILLAGE – ARRANGEMENT OF BUILDINGS**

WHEREAS, upon consideration of the staff reports prepared for SE202400028 Old Dominion Village – Arrangement of Buildings and the attachments thereto, including staff’s supporting analysis, any comments received, and all relevant factors in Albemarle County Code §§ 18-8.5.5.3 and 18-33.9(A), the Albemarle County Board of Supervisors hereby finds that the proposed variation:

- (vi) is consistent with the goals and objectives of the comprehensive plan;
- (vii) does not increase the approved development density or intensity of development;
- (viii) does not adversely affect the timing and phasing of development of any other development in the zoning district;
- (ix) does not require a special use permit; and
- (x) is in general accord with the purpose and intent of the approved application.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves variation SE2024-00028 to vary the Old Dominion Village Code of Development approved in conjunction with ZMA202000005 to change the arrangement of buildings on Parcels 05600-00-00-067B0 and 05600-00-00-074A0.

**RESOLUTION TO APPROVE SE202400029
OLD DOMINION VILLAGE – SETBACKS**

WHEREAS, upon consideration of the staff reports prepared for SE202400029 Old Dominion Village –Setbacks and the attachments thereto, including staff’s supporting analysis, any comments received, and all relevant factors in Albemarle County Code §§ 18-8.5.5.3 and 18-33.9(A), the Albemarle County Board of Supervisors hereby finds that the proposed variation:

- (xi) is consistent with the goals and objectives of the comprehensive plan;
- (xii) does not increase the approved development density or intensity of development;
- (xiii) does not adversely affect the timing and phasing of development of any other development in the zoning district;
- (xiv) does not require a special use permit; and
- (xv) is in general accord with the purpose and intent of the approved application.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves special exception SE2024-00029 to vary the Old Dominion Village Code of Development approved in conjunction with ZMA202000005 to reduce the minimum front setbacks on side roads on Lots 1, 6, 12, 27, 81, 95, and 110 of Parcels 05600-00-00-067B0 and 05600-00-00-074A0 to five feet.



Beatrice (Bea) LaPisto-Kirtley
Rivanna

Mike Pruitt
Scottsville

Ann H. Mallek
White Hall

COUNTY OF ALBEMARLE
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December 11, 2024

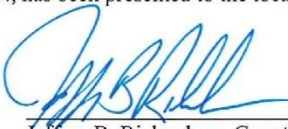
Staci A. Henshaw
Commonwealth of Virginia
Auditor of Public Accounts
P. O. Box 1295
Richmond, Virginia 23218

Dear Ms. Henshaw,

I hereby attest, in accordance with §15.2-2510 of the Code of Virginia, the County of Albemarle audited financial report, for the fiscal year ended June 30, 2024, has been presented to the local governing body at a public session on December 11, 2024.



Jim Andrews, Chair
County of Albemarle
Commonwealth of Virginia



Jeffrey B. Richardson, County Executive
County of Albemarle
Commonwealth of Virginia

The foregoing statement required by the laws of the Commonwealth was acknowledged before me this 15th day of February 2023.



Notary Public's Signature



Claudette K. Borgersen, Clerk, Albemarle County Board of Supervisors

Notary's Printed Name/Title

Notary registration number: 7701230
My commission expires on 08/31/2025

**RESOLUTION TO APPROVE THE
COUNTY OF ALBEMARLE'S INITIAL MEMBERSHIP
IN THE CHARLOTTESVILLE-ALBEMARLE
REGIONAL TRANSIT AUTHORITY**

WHEREAS, *Virginia Code* § 33.2-2800 establishes the political subdivision of the Commonwealth known as the Charlottesville-Albemarle Regional Transit Authority ("the Authority");

WHEREAS, the County of Albemarle ("County") is committed to enhancing transportation services within the community and recognizes the benefits in collaborating with the Authority to provide efficient and effective transit solutions; and

WHEREAS, *Virginia Code* § 33.2-2802 provides that County shall be an initial member of the Authority upon adoption of an approving ordinance or resolution by the governing body;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Albemarle County, Virginia hereby adopts this resolution to approve the County's initial membership in the Authority, pursuant to *Virginia Code* § 33.2-2802; and

BE IT FURTHER RESOLVED that the County Executive is authorized to take any other necessary actions to complete or confirm the County's initial membership in the Authority.